UNITED
NATIONS

A

General Assembly

PROVISIONAL

A/45/PV.31
22 October 1990

ENGLISH

Forty-fifth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE THIRTY-FIRST MEETING

Held at Headquarters, New York,
on Tuesday, 16 October 1990, at 10 a.m.

President: Mr. PEERTHUM (Mauritius)
(Vice-President)

- Report of the Secretary-General on the work of the Organization [10]

- Co-operation between the United Nations and the Asian-African Legal Consultative Committee [20]

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- Co-operation between the United Nations and the Latin American Economic System [24]

  (a) Report of the Secretary-General

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In the absence of the President, Mr. Peerthum (Mauritius), Vice-President, took the Chair.

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 10

REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION (A/45/1)

The PRESIDENT: It is customary for the Assembly to take note of the annual report of the Secretary-General on the work of the Organization. If I hear no objection, may I consider that the Assembly wishes to take note of the report of the Secretary-General (A/45/1)?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 10.

AGENDA ITEM 20

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE

(a) REPORT OF THE SECRETARY-GENERAL (A/45/504)

(b) DRAFT RESOLUTION (A/45/L.4/Rev.1)

The PRESIDENT: In accordance with General Assembly resolution 35/2 of 13 October 1980, I call upon the Secretary-General of the Asian-African Legal Consultative Committee, Mr. Frank Njenga.

Mr. NJENGA (Asian-African Legal Consultative Committee (AALCC)): At the outset I wish to convey to the Foreign Minister of Malta, on behalf of the Asian-African Legal Consultative Committee, our sincere felicitations on his unanimous election as President of the General Assembly at the forty-fifth session. His leadership at this juncture assumes greater importance in view of the new challenges and opportunities being faced by the United Nations. We are confident that his able guidance and devotion to the cause of the United Nations will enable him to steer the forty-fifth session to the achievement of memorable success. Our felicitations also go to the other officers of the Assembly.

I should also like to congratulate the Secretary-General, Mr. Perez de Cuellar, on the adroit and diplomatic manner in which he has managed the affairs of the United Nations in a year that will be remembered as its most challenging and yet its finest. This year also has witnessed some very positive developments in the international arena which we are happy to welcome. We wish in particular to extend our heartfelt congratulations to the Yemeni people as well as to the German people on their achievement of their long-cherished goals of unification of their respective countries during this year. The two newly united nations will no doubt play a crucial role in the development of international peace and prosperity.

It is a matter of pride and satisfaction to us to work closely with the United Nations and its agencies. It is nearly a decade since co-operation arrangements between the two organizations assumed formal shape. The granting of Permanent Observer status to the AALCC at the thirty-sixth session of the General Assembly proved to be an impetus to the orientation of our activities in a fashion more beneficial to our member States, thus enabling us to make a modest contribution to the work of the United Nations. There is an adequately detailed description of the co-operation between the two organizations in various fields in the

(Mr. Njenga, AALCC)

Secretary-General's report, reproduced in document A/45/504, which sets out the details of our joint activities and mutual co-operation. I shall therefore confine myself to only a few general observations.

Since I last addressed this forum at its forty-third session, the AALCC has held its twenty-eighth and twenty-ninth sessions, in Nairobi and Beijing respectively. The AALCC has also managed during this period to make significant progress on its various agenda items. I may, in passing, mention that the Beijing session coincided with the commemoration of the thirty-fifth anniversary of the historic Asian-African Conference held in Bandung in 1955. A meeting in commemoration of that memorable event was held during the session. The message of the Secretary-General, Mr. Perez de Cuellar, delivered on that occasion was a great inspiration and source of strength to us.

Under article 4 (a) of the statutes of the AALCC, the Committee is required to examine questions that are under consideration by the International Law Commission, as well as to consider the reports of the Commission, and to make recommendations thereon to the member Governments. This traditional function of the Asian-African Legal Consultative Committee has led to very close working relations between the International Law Commission and the Committee. It has become the normal practice for the Commission to request its Chairman to represent the Commission at the Committee's annual sessions. It was therefore a great honour for us at the Beijing session to receive the then Chairman of the Commission, Professor Graefrath, who fully briefed the annual session on the work of the Commission's forty-first session.

At the Beijing session we also had the honour of receiving the Chairman of the Sixth Committee for the first time. His suggestions and ideas benefited us greatly. We sincerely hope that we shall have similar opportunities of representation of the Sixth Committee at our future sessions. We also benefited

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from the presence of the Registrar of the International Court of Justice, who made an inspiring presentation of the current work programme of the International Court of Justice, an institution which the AALCC is very keen to promote as the only really universal organ for the peaceful settlement of disputes. The presence of representatives of the United Nations Legal Counsel at the session further enabled us to have the best possible forum for an exchange of views between our two organizations on several legal issues of a complementary nature.

The AALCC has been closely associated with the negotiations leading to the successful conclusion in 1982 of the United Nations Convention on the Law of the Sea. We are particularly proud that, of the 43 States which have ratified the Convention so far, 14 are among our member States. Also, of the five States which have applied to become pioneer investors or have been granted that status, three are member States of the AALCC. We are, however, seriously concerned at the slow process of ratification.

Our constant endeavour in this field has been to promote awareness of the advantages of the United Nations Convention on the Law of the Sea as a whole. We intend to intensify our efforts towards bringing closer the pioneer investors and the other parties to the Convention by promoting such concepts as joint ventures. Very recently we organized a workshop in New York to promote in-depth discussions on the issues concerning joint ventures in sea-bed mining, particularly as a means of addressing the genuine concerns on issues of financing and transfer of technology. As a follow-up, we are preparing a study on financial implications for the States parties to the Convention, so as to allay the exaggerated fears that participation in the Convention would be a costly and possibly a ruinous proposition. We sincerely hope that the President of the Assembly will make a special effort during his term of office to focus on this vital issue.

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(Mr. Njenga, AALCC)

Another issue of global concern which has attracted world-wide attention is the environment. The United Nations Conference on Environment and Development, scheduled to be held in 1992, will no doubt be one of the greatest events of the last decade of this century, and we in the AALCC are committed to making that Conference a success. The issues undoubtedly are crucial. The rewards of its success will be reaped not only by this generation but also by future generations.

It is our conviction that only through concerted and joint efforts to meet the concerns associated with the degradation of the environment, which threatens the very survival of civilization, can the international community come face to face with the responsibility to ensure the common future of mankind. Yet the problem of the environment cannot be tackled in isolation from economic development. We must recognize the need to eliminate mass poverty, disastrous economic disequilibrium and the massive debt crisis, all of which are the lot of the developing countries. It is unrealistic and hypocritical to insist that the problems of environmental degradation can be solved without massive additional resources, both financial and material, to assist the developing countries. The present level of assistance to developing countries is already woefully inadequate even for sustaining the current dismal level of growth, let alone for combating the new challenges of the environment.

(Mr. Njenga, AALCC)

The AALCC is actively involved in the preparatory phase of the 1992 Conference. We have discussed some of these issues during our sessions in the last two years. I would like in particular to mention in that respect our concern about the transboundary movement and disposal of hazardous wastes. We recognize the valuable contribution made by the Basel Convention. However, we consider that, in order to achieve a meaningful solution to this menace, further supplemental efforts are essential at both the regional and the international levels. We are working closely with the Organization of African Unity and some other organizations engaged in a similar exercise to ensure that these noxious poisons are not transferred to developing countries.

The AALCC appreciates the enthusiasm and wide support given the idea of finding new and additional resources to meet the environmental challenges. The establishment of the $1 billion fund jointly with the World Bank, the United Nations Development Programme and the United Nations Environment Programme is a welcome step in that direction. Any assistance to the developing countries from any source will have to be free of undue restrictions or conditions and avoid any new environmental conditionalities. The developing countries may be poor and technologically under-developed, but they are conscious about pledging their freedom to act in the interest of uplifting the welfare of their peoples, contrary to their national interest and priorities.

Another matter of great concern to us is the status and plight of refugees. We appreciate the sincere efforts of the international community and in particular the United Nations High Commissioner for Refugees (UNHCR). The number of refugees, however, goes on multiplying for many and varied reasons. We must ensure the eradication of the root causes of this problem. As a modest attempt, we are organizing a workshop early next year, in co-operation with the UNHCR and with the support of the Ford Foundation, to examine some of these issues and to promote

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wider acceptance of and adherence to the codified law on refugees enshrined in general and regional Conventions.

Our work programme on matters concerning international economic co-operation has been extended to play a supporting role in the work of the United Nations and its agencies engaged in these areas. We deeply value our co-operation in this regard with the United Nations Commission on International Trade Law, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization and other agencies, with which we have established close working relations. We are in the process of launching a new programme to assist our member Governments in providing information on various aspects of international economic co-operation and trade laws and regulations. The implementation of our scheme for the settlement of disputes in economic and commercial transactions which is still in the initial stages is also proceeding in a reasonably satisfactory manner. The three Regional Arbitration Centres in Cairo, Kuala Lumpur and Lagos established under the auspices of the AALCC have already attracted wide attention and recognition.

Following the General Assembly's proclamation in its resolution 44/23, adopted on 17 November 1989, on the United Nations Decade of International Law, the AALCC initiated a programme on this topic at its Beijing session. We consider that the elaboration and implementation of such a programme during the last decade of this century would be a vital step towards strengthening both the rule of law in international relations and the role of international law-making agencies in this process. We have put forward certain proposals in response to the communication received from the Legal Counsel of the United Nations which, in due course, will be discussed in the competent forum of the General Assembly.

Unfortunately, our region is currently beset with many old and new problems. We were profoundly shocked by the massacre of Palestinians by the Israeli security

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forces, which took place on 8 October at the Al Haram Al Shareef and we strongly condemn such brutal actions by the Israeli Government in contravention of its obligations and responsibilities under the 1949 Fourth Geneva Convention. We express the hope that the Security Council will adopt adequate measures for the protection of Palestinians living under Israeli rule.

The recent crisis in the Gulf region further complicates the situation. It is our unanimous conviction that observance of the principle of the peaceful settlement of disputes in relations between States is a fundamental norm. Any deviation from this principle cannot be condoned. No State boundary can be changed by the use of force or annexation of the territory of a State, as has happened to Kuwait. We cannot condone under any pretext whatsoever any form of aggression by a State whose result, in our view, cannot be allowed to stand. Indeed, the recent events in our region have shattered our hopes and made a mockery of the Decade of International Law. We recognize and continue to stress the principle that States must resort to bilateral, regional or international institutions, such as the International Court of Justice, to settle any disputes as the only way to settle any inter-State dispute. We therefore unequivocally condemn any resort to force to resolve disputes between States. As a first step towards resolving the Gulf crisis, Iraq must unconditionally cease its occupation of Kuwait forthwith. Thereafter His Highness the Amir of Kuwait, Sheikh Jaber Ahmed Al Sabah, must resume his responsibilities as the ruler of Kuwait. The form of government of that country is entirely the responsibility of the people of Kuwait and no one else.

In the same context, the consideration of an item entitled "Protection and security of small States" assumes great significance. The General Assembly, in its resolution 44/31, recognized that small States may be particularly vulnerable to external threats and to acts of interference in their internal affairs. It hardly needs to be emphasized that States are obliged to respect the principle of

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territorial integrity and other principles of the Charter. The United Nations has shown exemplary understanding in dealing with the current crisis in the Gulf. All efforts must be made to prevent the recurrence of such a crisis in the future. It is therefore necessary that the United Nations consider establishing standing machinery and established procedures to deal with such crises in the future. "Ad hoc-ism" may be good in dealing with a particular situation. It is, however, high time in our view that the United Nations established its authority and implemented the Charter provisions on the maintenance of peace and security in their true spirit and letter.

There are many items on the AALCC's agenda which have a bearing on issues concerning peace, security and disarmament. We are in particular concerned over the inordinate delay in convening the United Nations Conference on the Indian Ocean as a Zone of Peace. While we appreciate the rapprochement between the United States and the Soviet Union in their bilateral relations and positive understanding towards regional conflicts, we consider it necessary that the matter of the Indian Ocean as a zone of peace should now be brought to the forefront of the concerns of all States in the region, the United Nations and the super-Powers.

In conclusion, I should like to inform the General Assembly that the AALCC will be holding its thirtieth session in Cairo early next year. The session will have many important and relevant items on its agenda. We look forward to broad participation from our member Governments and observers, including the United Nations and its agencies. I am sure that I would also be speaking for our Egyptian hosts in assuring delegations that the thirtieth session of the AALCC under the watchful eye of the Sphinx early next year will be a great success.

The PRESIDENT: I now call on the representative of China, who will introduce draft resolution A/45/L.4/Rev.1 in the course of his statement.

Mr. SUN Lin (China) (interpretation from Chinese): Ten years ago the General Assembly granted observer status to the Asian-African Legal Consultative Committee (AALCC). One year later the AALCC set up its permanent mission to the United Nations, thus establishing official and regular co-operation between the two organizations. Over the decade the co-operation with the United Nations has become the most important aspect in the AALCC's work with international organizations. With identical aims and purposes, both organizations have benefited tremendously from their co-operation in pursuing their respective aims and purposes. Through co-operation with the United Nations the AALCC has gained a more precise and in-depth understanding of the major international questions to which the international community attaches great importance. It has also gained useful experience and knowledge from other regions of the world. In the legal field in particular, the AALCC's relationship with the Sixth Committee of the General Assembly, the Commission on International Law and the Commission on International Trade Law is especially close. The consultation forum provided by the AALCC has played a positive role in promoting progress and development in the codification of international law on the part of Member States in unifying and co-ordinating international trade law and in giving impetus to the work of the relevant United Nations bodies in the field of international law.

We actively support the AALCC in continuing to strengthen its co-operative relations with the United Nations in legal and other fields. It is our hope that the important ideas of the Asian-African countries concerning international law will be reflected to a greater extent in the relevant United Nations organs through the AALCC.

(Mr. Sun Lin, China)

We are particularily pleased to note that in March this year the twenty-ninth annual meeting of the AALCC was held in Beijing, China. Senior legal officials, diplomats and well-known legal scholars from many Asian and African countries held extensive discussions and consultations not only on questions of international law with the Asian and African countries concerned but also on many other legal questions that are being discussed at the United Nations. This meeting was a great success.

At the last session the General Assembly adopted a resolution to declare the United Nations Decade of International Law. At present the Working Group on the Decade of International Law is drafting a specific programme of activities to be considered by the Sixth Committee. We note that the AALCC has already taken a decision to participate in the activities of the Decade. This is another important effort to strengthen co-operation between the AALCC and the United Nations. We hope that the AALCC will carry out its activities even more vigorously and fruitfully in accordance with its aims and purposes and that it will make contributions to the Decade of International Law.

I should like now to introduce draft resolution A/45/L.4/Rev.1, on "Co-operation between the United Nations and the Asian-African Legal Consultative Committee", under agenda item 20, on behalf of the following sponsors: Australia, Canada, China, Cyprus, Egypt, India, Indonesia, the Islamic Republic of Iran, Japan, Kenya, Nepal, New Zealand, Pakistan, Sri Lanka and the United Republic of Tanzania.

This year's draft resolution, which is based on previous resolutions, includes a new operative paragraph - namely, operative paragraph 4, which

> "Notes with appreciation the decision of the Asian-African Legal Consultative Committee to participate actively in the programmes of the United Nations Decade of International Law".

(Mr. Sun Lin, China)

Co-operation between the AALCC and the United Nations has been effective and fruitful over many years. The AALCC also takes a positive attitude towards the United Nations Decade of International Law, which is a matter of great importance to all delegations. We look forward to the AALCC making important contributions to the programmes of the Decade.

Here I wish to draw the Assembly's attention to operative paragraph 2 which "takes note with appreciation of the report of the Secretary-General". That report gives a detailed account of the activities of the AALCC since the forty-third session of the General Assembly and provides valuable information for our deliberations on this item.

We hope that the Secretary-General will continue to submit reports on co-operation between the United Nations and the AALCC. We appreciate the efforts made by the Secretariat in this regard.

In recent years, as the areas of co-operation between the United Nations and the AALCC have expanded - for the mutual benefit of both organizations - the importance of this item has been increasingly recognized. We hope that the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee" will be included on the agenda of the forty-seventh session of the General Assembly. This proposal is reflected in operative paragraph 6 of the draft resolution.

Finally, we hope that the draft resolution will be adopted by concensus.

Mr. GALAL (Egypt) (interpretation from Arabic): First of all, I would like to congratulate the Secretary-General of the Asian-African Legal Consultative Committee, Mr. Njenga, on the valuable statement that he has just made in which he

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ennumerated the achievements of the Asian-African Legal Consultative Committee and its efforts to strengthen the role of the United Nations and its various agencies in all areas.

Egypt attaches great importance to the promotion and strengthening of the co-operation which exists between the United Nations and the Consultative Committee and the opening up of new prospects for future co-operation. This stems from our deep conviction that it is vital to establish a broad basis for an understanding of the role of international law in improving the international climate and ensuring that international relations will be conducted in a context of justice and co-equality in the interests of all peoples and with the purpose of building a better world for our future generations.

The United Nations has expressed its recognition of the Consultative Committee's important role, when the General Assembly, at the thirty-fifth session, decided to grant the Committee the status of Permanent Observer and invited it to participate, in that capacity, in the General Assembly's sessions and deliberations. At the thirty-sixth session, the General Assembly also decided to include on the agenda the item which is now before us, with a view to highlighting the important role of the Committee in consolidating the activities and work of the United Nations on the international and regional levels.

The Consultative Committee has lived up to the expectations of the United Nations. It has intensified its efforts in the area of progressively developing and codifying international law as well as in the economic and humanitarian fields. Moreover, it has participated effectively in the conferences and meetings of the United Nations. In addition, it has submitted several studies on various crucial matters that are of current interest to the international community.

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We have noted also the participation by some judges of the International Court of Justice, Chairman of the International Law Commission and representatives of the specialized agencies of the United Nations in meetings of the Consultative Committee. This shows that there is a common interest in the problems under consideration.

As the role of the Committee is to strengthen the work of the United Nations, activities in the area of international law, the Committee has included in its work programme some of the problems which are under consideration in the International Law Commission, such as non-navigational uses of international waterways and judicial immunities of States and their assets. The Consultative Committee also is currently considering these two particular issues. It had organized a seminar during the forty-first session of the General Assembly on the legal aspects of both issues, with a view to facilitating the work of the International Law Commission in this area. The Consultative Committee continues to co-operative effectively with the United Nations Commission on International Trade Law (UNCITRAL) by drawing the attention of its members to the question of the standardization and codification of the rules of international trade law and urging them to adhere to conventions which have been adopted by the Commission.

Moreover, the Consultative Committee has begun to compile a legal guidebook for joint industrial projects. It has formulated a scheme for settlement of disputes in economic and commercial transactions. Three regional centres for arbitration under the scheme have been set up. My country has the honour of hosting one of the three centres. The centre is handling with great efficacy the promotion and implementation of the rules established by the United Nations Commission on International Trade Law.

Over the past few years, the Consultative Committee has broadened the scope of

(Mr. Galal, Egypt)

its activities to embrace several issues of concern to the international community. It has carried out studies on contemporary problems such as the external debt of developing countries, the question of refugees and the illicit traffic in narcotic drugs trafficking. At its twenty-seventh session, the Consultative Committee included in its agenda an item entitled "Deportation of Palestinians as a violation of international law, particularly of the 1949 Geneva Convention". Since then, the Consultative Committee has continued to consider the various legal aspects of the problem.

Last year, the Committee included in its work programme an item on the important issue of the "Transboundary movement of hazardous wastes and their disposal". The study prepared by the Committee on that subject was considered by the Legal Advisers of the member States in their meeting held in New York last year.

I shall not deal in detail with all the activities of the Asian-African Legal Consultative Committee and its pioneering role in enhancing the effectiveness of the United Nations. This has been dealt with in detail in the report of the Secretary-General in document A/45/504. However, I should like to say here that the Consultative Committee has acquired a certain legal and political expertise since its establishment 34 years ago. This has enabled the Committee to consolidate its standing in the international arena and demonstrate its effectiveness in all areas relating to the problems of concern to the international community.

With the beginning of the Decade for International Law, we look forward to the effective participation by the Committee in the preparatory work for that important decade. The Committee, through its legal expertise, can make a valuable contribution to the Decade's work programme. We hope that the United Nations and

(Mr. Galal, Egypt)

its specialized agencies will make extensive use of the Consultative Committee's expertise through wider co-operation and use of the specialized studies prepared by the Committee.

Mr. KHARRAZI (Islamic Republic of Iran): I should like to begin my statement by thanking the Secretariat for preparing a comprehensive and useful report on co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC), contained in document A/45/504.

Certainly by including the phrase "encouraging the progressive development of international law and its codification" in Article 13 of the Charter, and by the creation of the International Law Commission in 1947 by the General Assembly, the corner-stone of law-making machinery was laid down by the international community. Since then a number of conventions regulating various aspects of international relations have been prepared under the auspices of the United Nations.

Now that an increasing awareness exists among the members of the international community that in our highly interdependent world everyone's interests could be best served through an orderly and just system, it is expected that the ongoing efforts concerning the progressive development of international law and its codification will be speeded up. It is evident from General Assembly resolution 44/23 that, in the coming years, the codification and progressive development of international law - which, in accordance with the above-mentioned resolution, is one of the major purposes of the decade - would constitute a significant portion of the activities of the concerned organs of the United Nations.

We, the Asian and African countries, in our eagerness to participate actively in the codification process of international law and its progressive development, established the Asian-African Legal Consultative Committee in 1956. That is a unique organization whose very raison d'être is the progressive development of

(Mr. Kharrazi, Islamic Republic of Iran)

international law and its codification. Since its inception, AALCC has undertaken a number of studies in the field of international legal matters of common concern to the two continents, and has functioned as a forum for the exchange of views and information among its member States. It has played a significant role in exploring needs and ideas and in harmonizing the views and positions of the States of Africa and Asia concerning various aspects of the codification of international law and its progressive development.

Indeed, a common objective - namely, striving for codification of international law and its progressive development - links the two organizations. It was this common objective that led to the commencement of co-operation between the Asian-African Legal Consultative Committee and the United Nations immediately after the founding of the AALCC, a co-operation that continues to this day.

(Mr. Kharrazi, Islamic Republic of Iran)

This co-operation may be divided into two periods. The first includes the years before 1981, when co-operation between the United Nations and AALCC had not been officially established. Even during this period, there was fruitful and constructive co-operation between the two forums. For example, AALCC undertook a systematic and consistent examination of subjects on the agenda of the International Law Commission from Asian and African perspectives. Its views and recommendations were directly or indirectly reflected in the Commission's proceedings. Evaluations and recommendations made by AALCC on the draft Convention on diplomatic Privileges and Immunities were another example of active participation on the part of AALCC in the process of codifying international law.

The second phase of co-operation between AALCC and the United Nations started in 1981, when AALCC began to carry out its activities in an official capacity, and permanent observer status with the United Nations was accorded to it under resolution 36/38. Since then, co-operation between the two organizations has been consolidated and AALCC has included in its programme of projects and studies a number of important items that are on the agenda of the General Assembly.

Co-operation between the two organizations has entered a new stage in recent years. The Secretary-General of AALCC or his representatives have participated in and addressed meetings of the Sixth Committee, as well as the Preparatory Commission for the law of the sea. Likewise, representatives from the Legal Office of the United Nations have participated in the annual meetings of AALCC. Last, but not least, the fact that the Secretary-General of AALCC, Mr. Njenga, is a member of the International Law Commission facilitates to a greater degree co-operation between the two organizations.

(Mr. Kharrazi, Islamic Republic of Iran)

By proclaiming the 1990s as the Decade of International Law, under resolution 44/23, another avenue for co-operation between the two organizations has been opened. In response to the circular of the Secretariat concerning the programmes for the Decade, AALCC has put forward some valuable proposals, in document A/45/430. It is our earnest hope that they will be taken into account in the programme of activities for the Decade. In our view, AALCC can assist the United Nations, in different ways, to carry out its programmes relating to the Decade. Seminars and training courses could be arranged by AALCC in collaboration with the United Nations with a view to encouraging the teaching, dissemination and wider appreciation of international law, a major purpose of the Decade. It can further assist the United Nations in the programmes of the Decade concerning the codification of international law.

That is why my delegation has become a sponsor of the draft resolution on co-operation between the United Nations and the Asian-African Legal Consultative Committee, contained in document A/45/L.4/Rev.1, and hopes that it will be adopted by consensus.

Mr. NAGAI (Japan): I should like first of all to express my delegation's appreciation for the elaborate report of the Secretary-General, contained in document A/45/504, which has helped tremendously our deliberations under agenda item 20.

On behalf of the Government of Japan, I am pleased to have this opportunity to pay high tribute to the Asian-African Legal Consultative Committee. Ever since its establishment more than three decades ago, the Committee has been playing a valuable role in the expansion and development of international law throughout the Asian-African region. I note with particular appreciation that, in addition to

(Mr. Nagai, Japan)

its efforts regarding legal issues facing the Asian-African region, it has recently expanded the scope of its activities to address urgent issues that transcend regional boundaries and affect peoples everywhere. I refer, for example, to its vigorous efforts relating to the issues of environmental protection and the illicit traffic in narcotic drugs.

The AALCC secretariat, which has been fulfilling its task under the excellent leadership of Secretary-General Njenga, has been making commendable efforts to strengthen its ties of co-operation with the United Nations and various bodies within the Organization by conducting periodic deliberations and seminars on various topics. It is Japan's hope that, through the exchange of information and views it is conducting with those organizations, AALCC will expand the issues on its agenda and establish priorities among them, and that, by holding intensive deliberations and by reporting at United Nations forums on the results of those deliberations, it will function more fully as a feedback mechanism. We recognize that by co-operating in this way these two organizations can contribute to the study of various problems currently confronting the Member States of the United Nations and, in so doing, strengthen the role and functions of the United Nations.

In this regard, we welcome the numerous efforts being made by AALCC since the fortieth session of the General Assembly to strengthen the role of the United Nations through the rationalization of its functions.

Tremendous changes have taken place in the structure of the international community. As we strive to respond to those changes, it is apparent that international law will play an ever-greater role in the new international order that is evolving. Under these circumstances, Japan welcomes the timely declaration of the Decade of International Law, and is confident that, with greater co-operation between AALCC and the United Nations, efforts to build a peaceful international order under the rule of law will continue to flourish.

Mr. Gurbachan SINGH (India): My delegation appreciates the Secretary-General's report (A/45/504) entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee", which gives a succinct idea of the work of the Asian-African Legal Consultative Committee (AALCC) in the recent past.

The Asian-African Legal Consultative Committee, established in 1956 by seven Asian States, namely, Burma - now Myanmar - India, Indonesia, Iraq, Japan, Sri Lanka and Syria, to serve as an advisory body of legal experts for consultations and co-operation between its member Governments in the field of international law and economic relations, particularly matters under consideration in the United Nations and its various organs and agencies, has been doing commendable work since its inception. In particular, its former Secretary-General, Mr. B. Sen, and its present Secretary-General, Mr. Frank Njenga, together with its highly qualified research team, deserve recognition for their efforts. Forty-three States are now members of the AALCC.

The Committee, a unique regional organization whose raison d'être is to contribute to the progressive development and codification of international law, has been endeavouring not only to promote acceptance of and respect for the principles and norms of international law, but also to strengthen the United Nations role in this regard and to respond to the specific needs of developing countries as a whole. The Secretary-General's report details, in paragraphs 13 to 17, the valuable inputs of the AALCC in strengthening international economic co-operation for development.

Following intensive consultations between officials of the United Nations and the Secretary-General of the AALCC, a programme of co-operation was drawn up which identified nine specific areas, namely: the co-operative framework; representation

(Mr. Gurbachan Singh, India)

at meetings and conferences; work of the Sixth Committee; matters pertaining to the law of the sea; the question of refugees; efforts towards strengthening the role of the United Nations through rationalization of functional modalities; illicit traffic in narcotic drugs; international economic co-operation for development; and zones of peace and international co-operation.

The co-operative framework has now become a regular feature. The AALCC has also undertaken important initiatives with the objective of strengthening the role of the United Nations. The Secretary-General's report before us gives an indication of these. The Committee's activities in these areas have not been confined to its membership but have extended to all interested States Members of the United Nations. Furthermore, areas of co-operation have been expanded to cover matters in the economic and humanitarian fields, in addition to progressive development and codification of international law.

Of special importance to my delegation is the Committee's work on international economic co-operation for development. In an era when barriers are coming down, the Committee's identification of the international legal or regulatory framework and strengthening such co-operation deserve to be noted as a valuable input for the overall co-operative exercise.

We are impressed by the extent of the relationship between the United Nations and the Committee. Its various organs and agencies have over the years covered an extensive field, including law, economic relations, environment, the problem of refugees, and ocean resources. The work of the Sixth Committee of the General Assembly is of special interest to the AALCC, and its secretariat prepares notes on matters under consideration designed to assist Member States in their participation. Such an input contributes to more meaningful debates in this

(Mr. Gurbachan Singh, India)

forum. Of particular relevance in this regard are the Consultative Committee's links with the International Law Commission and the United Nations Commission on International Trade Law (UNCITRAL). Especially noteworthy are the publication of proceedings of a regional seminar on international trade law, organized in collaboration with UNCITRAL and held at New Delhi in October 1989; recommendation of UNCITRAL's Model Law on International Commercial Arbitration; acceptance of the United Nations Convention on the Limitation Period in International Sale of Goods, 1974; the United Nations Convention on Contracts for the International Sale of Goods, 1980; and the United Nations Convention on Carriage of Goods by Sea, 1978.

We are hopeful that the existing areas of co-operation between the United Nations and the AALCC will not only be maintained but further strengthened by closely involving the Committee in the programme of the United Nations Decade of International Law. India considers the United Nations Decade to be of great importance and would like to see active participation by the AALCC in its activities - particularly, with the help of the United Nations, by instituting training programmes and scholarships for nationals of developing countries, by organizing seminars on joint United Nations-AALCC efforts and, especially, by intensifying co-operation with specialized agencies and bodies such as the United Nations Industrial Development Organization (UNIDO), the United Nations Conference on Trade and Development (UNCTAD), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Maritime Organization (IMO), the United Nations Environment Programme (UNEP), the International Atomic Energy Agency (IAEA), the United Nations Institute for Training and Research (UNITAR), and so forth.

We appreciate the Committee's efforts to urge its member States to ratify the United Nations Convention on the Law of the Sea in order to ensure the Treaty's

(Mr. Gurbachan Singh, India)

early entry into force, as well as the addendum to its Bangkok Principles, which elaborate the concept of burden sharing, besides the question of the State's responsibility in regard to refugees.

It is important to note the Committee's future programmes, especially those directed towards defining criteria for distinguishing between terrorism and people's struggle for liberation; and its work, as noted in the Secretary-General's report, relating to questions such as the deportation of Palestinians being a violation of international law, both customary and codified, and relating to occupied territories, responsibilities of the occupying Power and the question of payment of compensation. Of equal importance is the Committe's work on transboundary movement of hazardous wastes and their disposal, including its study on co-operation between Asian and African countries to ban the dumping of toxic and other wastes into their countries and to co-operate in the formulation of regional or subregional conventions banning the dumping of such wastes.

My delegation is happy to support the AALCC's many activities and trusts that they will continue to strengthen that Organization's contributions to the United Nations and the world community.

Mr. WISNUMURTI (Indonesia): First of all, my delegation would like to express its appreciation to the Secretary-General for his report in document A/45/504.

Thirty-five years ago, as an outcome of the Bandung Conference, the Asian-African Legal Consultative Committee (AALCC) emerged, embracing the two sister continents of Asia and Africa, and over the years it gradually established itself as a major forum for international co-operation. That historic Conference has few parallels in history, in terms of either the vastness of the area it

(Mr. Wisnumurti, Indonesia)

represented or the objectives to be achieved. It had a momentous impact on forging an identity between a group of nations with different political, economic and social structures of government, and in its growth as an independent force in international affairs. In this connection, Indonesia takes great pride in having been one of the five Colombo Powers at Bandung in 1955 to sponsor the Asian-African Conference.

(Mr. Wisnumurti, Indonesia)

During the course of the work of the AALCC, it has directed its activities to towards complementing the work of the United Nations and has established close relations with the Organization and its various agencies engaged in the fields of law and economic relations. This culminated in the decision of the General Assembly at its thirty-fifth session to accord Permanent Observer status to the Consultative Committee, a distinction it shares with few other international organizations.

My delegation avails itself of this opportunity to extend its support and co-operation in the deliberations on the agenda item entitled "Co-operation between the United Nations and the Asian-African Consultative Committee". The co-operation programme which was drawn up pursuant to paragarph 4 of General Assembly resolution 43/1, of 17 October 1988, can effectively enhance co-ordination by routine consultations between the Consultative Committee and this body as they involve themselves in various subjects and issues of world-wide importance. In this context, it is pertinent to note that the Consultative Committee's activities include training officers in the technique of research, handling international legal problems, holding periodic meetings and seminars and rendering advice of special interest to Member States.

One of the primary functions assigned to the Consultative Committee under its statutes was the examination of questions under consideration by the International Law Commission which contemplated establishing a link between them in the progressive development and codification of international law. Its present work programme includes the question of non-navigational uses of international watercourses and jurisdictional immunities of States. We are confident that the Consultative Committee and the International Law Commission will make considerable progress in dealing with these important issues.

A significant initiative taken by the Consultative Committee in playing of its

(Mr. Wisnumurti, Indonesia)

wider role was in relation to the third United Nations Conference on the Law of the Sea. As proposed by Indonesia, the Consultative Committee considered in January 1970 a new agenda item on the law of the sea with a view to assisting its member Goverments and other Asian-African States in the preparatory work for the Conference in the United Nations sea-bed Committee. Some of the major concepts in relation to the law of the sea were developed for the first time in the deliberations of the Consultative Committee at that meeting, held in Colombo, and also in the Conference itself. In this connection, particular mention should be made of the concept of the exclusive economic zone. It was at that meeting of the Consultative Committee that Indonesia and the Philippines resumed their efforts to promote international understanding and acceptance of the Archipelagic State concept. The Consultative Committee continued to make a significant contribution not only in preparing the 1982 Convention on the Law of the Sea, but also in promoting ratification and implementation of the Convention, including internally by conducting studies and preparing national legislation on various aspects of the Convention, and externally through its participation in the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

Collaboration between the AALCC and the United Nations Commission on International Trade Law (UNCITRAL) in the development of international trade law has been particularly close and active. The Consultative Committee has, during the preparation of the major texts of UNCITRAL, greatly influenced the final version. As a result, the AALCC has recommended to its member States the UNCITRAL Arbitration Rules, ratification of the United Nations Convention on Contracts for the Sale of Goods, and the United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules), as well as the adoption of the UNCITRAL Model Law on International Commercial Arbitration.

(Mr. Wisnumurti, Indonesia)

The mandate of 17 December 1966 to UNCITRAL to

"... bear in mind the interests of developing countries in the extensive development of international trade" (resolution 2205 (XXI), para. 9)

comes from resolution 2205 (XXI), by which UNCITRAL was created. In this regard, my delegation is confident that the continued close co-operation between the two organizations will foster trade links at the interregional and global levels. Their participation has also contributed towards the creation and codification of rules of international trade law that would reflect the interest of developing countries.

Although the role of the Consultative Committee lay primarily in international law, its activities have widened in consonance with its main objective as a forum for Asian-African co-operation in the field of economic relations. One of its major achievements is the adoption of the integrated scheme for settlement of disputes with a view to creating stability in economic transactions with the countries in the region. The Consultative Committee has also participated as an intergovernmental organization in the work of the United Nations Conference on Trade and Development (UNCTAD) to keep in touch with global negotiations where economic and legal implications are interlinked. In considering the pressing issue of the debt burden of developing countries, the AALCC has undertaken studies on the subject of negotiating the rescheduling of loans and is fomulating legal guidelines on international loan agreements.

I turn now to the subject of strengthening the role of the United Nations through the rationalization of functional modalities. The AALCC has been particularly active in this sphere, preparing a study on the subject and focusing close attention on the follow-up of the implementation and progress of United Nations resolutions. The need for adopting, clarifying and improving the existing rules of international law was recognized by the General Assembly in its resolution

(Mr. Wisnumurti, Indonesia)

44/23, of 17 November 1989, in which it declared the period 1990 to 1999 the United Nations Decade of International Law. In this connection, the Consultative Committee has a vital role to play and has therefore urged closer co-operation within the comity of nations. My delegation maintains that co-ordination in the field of codification and dissemination of international law appears to be a dire necessity of the hour. The precision of this gigantic task is absolutely vital to the evaluation of peace and harmony between nations. In this context, it should be mentioned that the Consultative Committee has prepared a study on promoting the use of the International Court of Justice and has submitted a report to the Secretary-General on various methods of increasing the effectiveness and implementation of the Manila Declaration on the peaceful settlement of disputes between States. We are certain that the study undertaken will make a significant contribution by harmonizing the views of Asian-African States.

The Indonesian delegation is of the firm view that the significant progress so far achieved by the AALCC not only has proved beneficial in drawing together the expertise of the Asian-African region but has made a considerable impact by projecting the interests of the international community as a whole. It has undoubtedly attained the principal objective of the 1955 Bandung Conference, which was to

> "view the position of Asia and Africa and the peoples in the world today and the contribution they can make to the promotion of world peace and co-operation".

As a founding member of that Conference, we reaffirm our steadfast support for and co-operation in the programme of future activities between the AALCC and the United Nations. With this objective in mind Indonesia has become a sponsor of draft resolution A/45/L.4/Rev.1, entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".

Mr. PERERA (Sri Lanka): The item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee" was included in the agenda of the thirty-seventh session of the General Assembly. This was done in recognition of the Committee's contribution in promoting interregional and international co-operation in support of the efforts of the United Nations. Over the years the Asian-African Legal Consultative Committee (AALCC) has provided a major forum for the States Members in Asia and Africa to engage in consultations and co-operation in the legal field. In doing so, the Committee has worked in liaison with the United Nations, maintaining close relations with its various bodies and specialized agencies.

My delegation attaches great importance to the work of the AALC, which was established by the developing countries of Asia and Africa in order to make an impact on the progressive development of international law. Further, although the establishment of the Committee was intended to promote the development of international law, the Committee has extended its activities to include consideration of international economic co-operation for development, the question of refugees and displaced persons, and even one of the widespread social evils of our time, the illicit traffic in narcotic drugs.

We are also happy to note that, in an effort to preserve our environment, the Committee is actively engaged in formulating regional and international conventions on banning the dumping of toxic and other wastes. As a founder member of the Committee, Sri Lanka is pleased with the significant contribution the Committee has made to the progressive development of international law in keeping with the aspirations of their people. This is all the more evident by the increasing number of active participants at recent meetings of the Committee, from outside the two continents, whose interests in the development of international law were identical with those of the developing countries of Asia and Africa.

(Mr. Perera, Sri Lanka)

The Secretary-General's report contained in document A/45/504 covers a wide range of subjects, of relevance to United Nations activities, with which the Committee had been involved. Among these matters, the Committee is continuing to follow up the implementation of the resolution relating to strengthening the role of the United Nations by rationalizing its modus operandi in its programmes of work on subjects under consideration by the International Law Commission and the United Nations Commission on International Trade Law. In the United Nations activites under the Convention on the Law of the Sea, the Committee has reactivated a sub-committee on the law of the sea and is engaged in preparing a study on joint ventures and other core issues considered by the Preparatory Commission for the International Sea-Bed Authority.

Sri Lanka is pleased to be a sponsor of draft resolution A/45/L.4/Rev.1, concerning co-operation between the United Nations and the AALCC.

My delegation wishes to place on record our deep appreciation of the untiring efforts of the Secretary-General of the AALCC and of the other members of the AALCC secretariat.

Mr. NYAKYI (United Republic of Tanzania): I welcome with great pleasure this opportunity to express my delegation's satisfaction with the dynamic and active co-operation which exists between the United Nations and the Asian-African Legal Consultative Committee (AALCC). This long-standing relationship has been, and remains, an outstanding example of the role which regional organizations can play in assisting and complementing the efforts of the United Nations in the maintenance of international peace and security.

The United Nations Charter recognizes and encourages the supportive role which regional organizations can play towards the attainment of the objectives of the United Nations. In the case of the work of the Sixth Committee, the contribution

(Mr. Nyakyi, United Republic of Tanzania)

of the AALCC to the debates, through its notes and comments on the items before the Sixth Committee, have been invaluable. These comments have served to satisfy a need which many of our countries have felt at all stages in preparing themselves to participate effectively in the debates of the General Assembly. My country attaches particular importance to these commentaries; to enable delegations to take them fully into account during their preparations for the General Assembly, it would be immensely helpful if the comments were made available well in advance of the session.

At the thirty-sixth session of the General Assembly, which coincided with the twenty-fifth anniversary of the establishment of the AALCC, the Assembly commended the Committee on promoting interregional and international co-operation in support of the efforts of the United Nations towards that end. The Committee has continued to work to strengthen the role of the United Nations and its organs, particularly in respect of encouraging recourse to the International Court of Justice. Many States have begun to re-evaluate their attitudes towards the Court, and there is no doubt that the work of the AALCC is one of the many factors encouraging movement in this direction. My delegation believes the Committee has been able to achieve this through its programmes and initiatives designed to promote the dissemination and appreciation of international law and other related subjects among the Member States and of the central role assigned to the International Court of Justice in the application of international law.

The work of the AALCC has not been confined to the agenda of the Sixth Committee: it has encompassed other areas too. This year, the AALCC secretariat prepared notes and comments on items relating to the Indian Ocean as a zone of peace, the United Nations Conference on Environment and Development, and the protection of the global climate for present and future generations. The comments

(Mr. Nyakyi, United Republic of Tanzania)

are a serious and welcome attempt by the Committee to build a regional consensus on these issues. Thus the Committee remains the only forum where the African and Asian countries in the regions can consult and evolve common positions not just on issues of international law but also on other issues of common interest. The widening of the scope of the activities undertaken by the AALCC as a result of the consultations conducted between the secretariats of the United Nations and the AALCC is a very welcome development, and my delegation would like to take this opportunity to commend both secretariats on their contribution to this endeavour.

(Mr. Nyakyi, United Republic of Tanzania)

We note with appreciation the Secretary-General's report regarding co-operation between the United Nations and the Asian-African Legal Consultative Committee. It shows the links and collaboration that the AALCC has forged not only with the United Nations Secretariat but also with other bodies as well, such as the International Law Commission, the United Nations Commission on International Trade Law and the Office of the United Nations High Commissioner for Refugees, to mention only a few.

The Committee has not overlooked deficiencies or weaknesses on the part of its co-operating partners which impair or impede their collaboration. It has, for example, set out recommendations for the improvement of the functioning of the General Assembly. My delegation welcomes these recommendations as important and useful and very much hopes that they will be used to enrich the draft document on the rationalization of the United Nations procedures, which has been finalized by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

We note also the list of issues set out by the AALCC which it hopes to undertake in pursuance of the objectives of the Decade of International Law. These have been reproduced in the report of the Secretary-General relating to the United Nations Decade on International Law. It is our hope that, in view of the excellent co-operation that exists between the two bodies, the United Nations will assist and work side by side with the AALCC in the implementation of the programme. We welcome the emphasis placed on the role of joint meetings and seminars in the promotion of the programme. It is an open secret that, in view of the financial problems the AALCC is facing, the Committee will on its own be unable to realize many, if not most, of its programmes. It is our hope, therefore, that the United Nations will respond positively to the Committee's request for financial support.

(Mr. Nyakyi, United Republic of Tanzania)

Finally, I want to thank the United Nations Secretary-General for his report on this item. We are confident that it will contribute not only to the consolidation of the co-operation between the United Nations and the AALCC but also to the strengthening and widening of the scope of co-operation between the two bodies. As an active member of the AALCC, Tanzania looks forward to making its contribution in co-operation with other countries in the region and the United Nations and the AALCC.

Mr. ADHIKARI (Nepal): My delegation is pleased to note the growing co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC). At the outset my delegation would like to thank the Secretary-General for his skilful report on co-operation between the United Nations and the AALCC.

It is well known that the AALCC was first founded in 1956, under the title "Asian Legal Consultative Committee", by seven members. Subsequently the Committee was enlarged to accommodate newly independent African States as well. Since its inception the Committee has made a significant contribution to the development of modern international law, and its relationship with the United Nations and its subsidiary organs deserves special mention.

The Committee has encouraged all Member States to promote wider use of the International Court of Justice regarding the peaceful settlement of disputes between States. At the 14th meeting of the Sixth Committee, on 12 October 1990, my delegation stated: "there should be additional outside encouragement for ... countries to take their disputes to the Court". In this context, it is important to reiterate the significant role of the International Court of Justice, as mentioned in paragraph 8 of document A/45/504.

(Mr. Adhikari, Nepal)

Other issues under consideration before the Consultative Committee, such as promotion of ratification and implementation of the United Nations Convention on Law of the Sea, international economic co-operation for development, the question of refugees, zones of peace and international co-operation and illicit traffic in narcotic drugs, emphasize the relevance of the growing co-operation between the United Nations and the Committee.

International economic co-operation and the Decade of International Law are two additional issues of particular interest to my delegation and other developing countries which are members of the AALCC. My delegation is, therefore, pleased to note that the question of the debt burden of developing countries has been addressed by the Consultative Committee since its 1985 session in Kathmandu.

In conclusion, my delegation welcomes draft resolution A/45/L.4/Rev.1, of which Nepal is a sponsor, and is convinced that the work of both the United Nations and the Asian-African Legal Consultative Committee will be positively affected by its adoption.

Mr. TRAXLER (Italy): I have the honour to speak on behalf of the 12 States Members of the European Community.

The Twelve have always had high regard for the quality of work of the Asian-African Legal Consultative Committee. Indeed most of them follow its sessions closely as observers. We are highly appreciative of the work undertaken up to now by the Committee, in particular as regards the strengthening of the role of the United Nations and of its principal organs.

The Twelve would like to underline how much they appreciate the important contribution Mr. Njenga is making as the Committee's Secretary-General. We have listened with great interest to his statement and have taken careful note of the current activities as well as of those under preparation.

(Mr. Traxler, Italy)

The Twelve have already had the opportunity in the past to support various initiatives undertaken by the Asian-African Legal Consultative Committee, especially as regards the rationalization of the procedures in the General Assembly. They congratulate the Committee for the constructive co-operation that exists between it and the United Nations. They hope that this co-operation will be strengthened and become even more fruitful in the future.

Mr. ABOU-HADID (Syrian Arab Republic) (interpretation from Arabic): The delegation of the Syrian Arab Republic, one of the seven Asian States that founded this Committee, highly appreciates the continuing co-operation between the United Nations and the Asian-African Legal Consultative Committee. There is no doubt that this Committee's efforts have led to the strengthening of the role of the United Nations and its various bodies, including the International Court of Justice. Those efforts have taken the form of initiatives and legal studies which reflected modern legal concepts, including the International Tribunal for the Law of the Sea, international arbitration, international waterways, and the settlement of disputes between States by peaceful means in addition to other important and useful studies which the Committee has continued to prepare since its inception.

My Government depends on the studies and reports of this Committee as it considers them to be an objective legal source that helps in resolving and understanding international legal problems. We would like to express our appreciation also of the report of the Secretary-General to the General Assembly since co-operation between the United Nations and this Committee has continued to intensify. This co-operation in the interest of the international community as a whole and especially the Asian and African countries.

Document A/45/504 contains many references to the co-operative activities of this Committee during the period under review and this deserves our appreciation. The priority accorded by the Consultative Committee to matters that are of current interest to the United Nations, especially international economic co-operation for development, refugees and evacuees and their problems and preparing legal principles relating to them, in addition to the concept and legal framework of zones of peace and international co-operation, the study it presented on that intractable problem of the illicit traffic in narcotic drugs, the problem of the

(Mr. Abou-Hadid, Syrian Arab Republic)

dumping of hazardous wastes and co-operation to conclude regional and subregional conventions banning the dumping of such wastes, all these efforts call for encouraging the role of this Committee and strengthening its co-operation with the United Nations.

My delegation wishes to pay tribute to this Committee's general secretariat for its tireless efforts. We strongly support the draft resolution before the General Assembly in document A/45/L.4 and hope that it will be adopted by consensus.

The PRESIDENT: We have heard the last speaker in the debate on this item. I should like to inform members that the following States have joined in sponsoring the draft resolution: Iraq and Mongolia.

If no one wishes to speak in explanation of vote, may I take it that the General Assembly adopts draft resolution A/45/L.4/Rev.1?

Draft resolution A/45/L.4/Rev.1 was adopted (resolution 45/4).

The PRESIDENT: That concludes our consideration of agenda item 20.

AGENDA ITEM 24

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE LATIN AMERICAN ECONOMIC SYSTEM

(a) REPORT OF THE SECRETARY-GENERAL (A/45/514)

(b) DRAFT RESOLUTION (A/45/L.6)

The PRESIDENT: I call on the representative of Peru, who will introduce the draft resolution.

Mr. LUNA (Peru) (interpretation from Spanish): On behalf of the sponsors I am pleased to introduce draft resolution A/45/L.6, entitled "Co-operation between the United Nations and the Latin American Economic System", which is sponsored by all members of the Latin American Economic System (SELA). Its basic purpose is the strengthening and broadening of co-operation between the United Nations system and the Latin American Economic System.

(Mr. Luna, Peru)

The Latin American Economic System (SELA) is an intergovernmental body established 15 years ago and comprising the 26 States of Latin America and the Caribbean. Its main purpose is to promote political co-operation and co-ordination on international economic issues. In other words, it is a unique forum for harmonization on matters of particular interest to Latin American and Caribbean countries and its most important decision-making body is the annual meeting of Foreign Ministers.

During the past year, SELA has been working intensively, convening important meetings in order to establish the regional position on issues of external debt and the multilateral trade negotiations of the Uruguay Round.

In June this year the regional conference on external debt was held in Caracas at which, for the first time, the economy and finance ministers and those negotiating the external debt of the members of SELA participated. A debt reduction proposal and a regional plan of action were adopted.

Likewise, in July this year the Fifth Consultative Meeting on the Uruguay Round was held in Geneva and a political declaration and a framework for basic agreement and consensus were approved. That is a significant input on the part of the region to the negotiating process and its importance derives from the fact that for the first time common positions were agreed on the 15 thematic groups in the negotiations of the Uruguay Round.

(Mr. Luna, Peru)

Let me recall that at its forty-fourth session the General Assembly adopted resolution 44/4, in which it requested the Secretary-General to initiate consultations for the purpose of drafting an agreement of co-operation between the United Nations and the Latin American Economic System (SELA). The adoption of the draft resolution which we are introducing today would result in the continuation of those consultations with a view to the signing of the agreement.

The preamble to this draft resolution, now before the Assembly, refers, inter alia, to decision 302 of the Latin American Council - the highest of SELA - which was adopted at its most recent meeting. By that decision the Council approved the signature of an agreement between the United Nations and the Latin American Economic System.

Under the operative part of the draft resolution the General Assembly would take note with satisfaction of the report of the Secretary-General and express satisfaction with decision 302 of the Latin American Council. It would also urge the Economic Commission for Latin America and the Caribbean and the United Nations Development Programme to strengthen and broaden their co-ordination and mutual support activities with SELA, and would urge the specialized agencies and other organizations and programmes of the United Nations system to continue and intensify their support for and co-operation with the activities of SELA.

The General Assembly would also request the Secretary-General of the United Nations to promote, in close collaboration with the Permanent Secretary of the Latin American Economic System, the holding of a meeting in 1991 between their respective secretariats, with the aim of identifying those areas in which it will be possible to broaden co-operation between the United Nations system and the Latin American Economic System.

(Mr. Luna, Peru)

Lastly, the General Assembly would request the Secretary-General to continue consultations with the Permanent Secretary of the Latin American Economic System with a view to signing, as soon as possible, an agreement of co-operation between the United Nations and the Latin American Economic System.

Since the draft resolution we are now introducing contains no controversial provisions and has no financial implications for the Organization, the Peruvian delegation hopes that this text, which is sponsored by all the members of the Latin American Economic System, will be adopted by consensus. The Assembly would thus be helping to narrow - at least to some extent - the widening gap between the regional and the international levels, which, if it continues to widen, could distort future action and affect the way in which United Nations organs discharge their mandate in dealing with global issues at this important stage of the post-cold-war period.

Mr. PIRIZ BALLON (Uruguay) (interpretation from Spanish): It is a great pleasure for my delegation to support the draft resolution, introduced by the delegation of Peru, concerning co-operation between the United Nations and the Latin American Economic System (SELA). In this text account is taken of decision 302 adopted at the sixteenth regular session of the Latin American Council.

I wish briefly to report on the activities carried out by the Permanent Secretariat of SELA with the organizations, agencies and programmes of the United Nations, thus highlighting the importance of the work they have done jointly during the past year.

In the area of external debt, we should highlight the active participation of the Latin American Economic System in the preparatory work for the regional conference on external debt, held in Caracas in June 1990. This event, as the representative of Peru reminded us, brought together for the first time economic

(Mr. Piriz Ballon, Uruguay)

ministers, finance ministers and the principal debt negotiators from all the member countries of SELA. I should like in this respect to draw members' attention to the document which emerged from that meeting and which has been distributed in the General Assembly under the symbol A/45/334. That document contains guidelines of fundamental importance for future negotiations on the subject between creditors and Latin American debtors.

With regard to the participation of the United Nations in activities related to the question of external debt, I am pleased to note the progress made in the programme of assistance and exchange of information on external debt which, with the financial support of the United Nations Development Programme (UNDP), began to function after the fifteenth meeting of the Latin American Council, held in 1989. As part of this programme, seminars and symposiums have been held with high-level technical and political representatives from many regions of the world. With regard to the Uruguay Round of multilateral trade negotiations, co-ordination and consultations carried out by the Permanent Secretariat of SELA have enabled the countries of Latin America and the Caribbean to adopt a political declaration, a framework of understanding and basic consensuses on the principal points that have been negotiated in the 15 groups at present in Geneva.

SELA's work of co-ordination and consultation in the region is not at an end. What is more, it is essential to strengthen the support that Governments receive on these matters of such importance. The co-operation of this Organization is crucial if we are to make progress on these subjects and to consolidate the support for SELA that has become an effective and appropriate instrument serving the interests of the region.

In the draft resolution before us and in the statement by the representative of Peru reference is made to the organizations, bodies and programmes with which the Latin American Economic System closely co-operates, so I shall not repeat them

(Mr. Piriz Ballon, Uruguay)

here. I shall confine myself to adding our support to the importance of this relationship's being broadened and deepened with a view to future joint activities of SELA with the United Nations Industrial Development Organization (UNIDO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Conference on Trade and Development (UNCTAD) and the Economic Commission for Latin America and the Caribbean (ECLAC). In this regard, we support the proposals in operative paragraphs 6 and 7 of the draft resolution before the Assembly for consideration.

In view of the foregoing, we recommend the adoption by consensus of the draft resolution submitted on the subject. In expressing our support for this text, we also pay a tribute to the Secretary-General of the United Nations for the outstanding report he has submitted.

Mr. MONTAÑO (Mexico) (interpretation from Spanish): The item before us today confirms Latin America's deep conviction about the undeniable advantages of constant and open dialogue, which would enable us to adopt common positions to deal with the major challenges facing the world today and the major changes that are occurring. We firmly believe that this transitional period offers us a wealth of opportunities but also many challenges. Societies are now being reorganized through the modernization of political and economic institutions.

This transitional period offers opportunities to strengthen international economic co-operation, but a large number of developing countries run the risk of being left on the sidelines of progress and prosperity.

The countries of the South are resolved to participate in these changes, despite the serious economic problems facing us, including the massive transfer of resources abroad, which continues to be the main obstacle to the renewal of

(Mr. Montaño, Mexico)

our growth. The absence of favourable external conditions and of co-operative action to complement our efforts to ensure economic modernization has also limited the scope of what can be done through our national policies for stabilization and growth.

(Mr. Montaño, Mexico)

The resumption of growth and development in the countries of the South must be the main objective of multilateral economic co-operation over the coming decade. There are a number of factors militating against that, but we are resolved to fight against them.

Détente and even co-operation among the major Powers are in fact not helping in the development process of our countries, and the profound changes that have occurred in the countries of Eastern Europe and the process of integration in Europe could actually involve increasing marginalization of the developing countries in the financial, trade and technological areas. Faced with this scenario, which is not helpful for the development objectives of the developing countries and the countries of the South, and specifically those of Latin America and the Caribbean, international and regional economic and technical co-operation is essential. The specific demands and priorities of those countries must be the point of departure in allocating resources made available through international co-operation.

Since the establishment of the Latin American Economic System (SELA), it has been a privileged forum in which to work together and ensure co-operation in Latin America and the Caribbean, and deal with crises affecting our countries. Of the most recent activities of SELA, we should highlight the efforts to co-ordinate the positions of the countries of the region within the context of the Uruguay Round, and also the organization of the regional conference on external debt which was held in Caracas, Venezuela, last June.

In the region it is felt that SELA should be a link with other forums, and the Government of my country has subscribed to that point of view. Thus the members of SELA have decided to join their efforts with those of the United Nations in order to co-ordinate activities towards common goals. The regional conference on

(Mr. Montaño, Mexico)

industrialization, scheduled for 1991 should offer a good opportunity for the continued consolidation of such efforts. Co-operation between SELA and the Economic Commission for Latin America and the Caribbean (ECLAC) has been a key element in identifying what has to be done as regards the Latin American economic situation and in analysing specific projects in priority areas. We have also had a positive input from the agencies and specialized organs of the United Nations and various committees of SELA. Co-operation with the United Nations Industrial Development Organization, the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization, has shown that there is now an agenda of projects to be implemented, and this is very important for the region.

There has also been joint activity between SELA and UNDP. A co-ordination meeting of the directors for international technical co-operation on the Fourth Regional Programme for Latin America and the Caribbean has been held and in February 1990 there were preparatory meetings regarding the fifth programming cycle of UNDP. At the latter, criteria, guidelines and priority areas were established for the preparations for the Fifth Regional Programme for Latin America and the Caribbean.

There are important links between SELA, the regional focal-point for promoting and strengthening technical co-operation for the developing countries, and the UNDP Special Unit for Technical Co-operation Among Developing Countries.

On 7 September last, the Latin American Council adopted decision 302, which approved the signing of an agreement of co-operation between the United Nations and SELA. This represents an aspiration of the countries of the region as well as a challenge, which means our passing the declaratory stage and taking concrete action as to what can be done by regional and universal multilateral bodies in the

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economic and social areas. My delegation believes that there can be no real political progress without concomitant support for improvement in the standards of living for our societies as a whole. The United Nations and SELA should work to that end. The delegation of Mexico supports the draft resolution in document A/45/L.6, which has been so clearly and ably introduced by the delegation of Peru.

Mr. DEL ROSARIO (Dominican Republic) (interpretation from Spanish): Ours is an increasingly interdependent world. Just as the collapse of the New York Stock Market could lead to the fall of a Government in some third-world country, so a crisis in a country of the underdeveloped world can shake the pillars of a developed country. Precisely 15 years ago tomorrow, 25 representatives from Latin America and the Caribbean - today there are 26 - meeting in Panama and bearing in mind near- and long-term prospects, signed the Convention founding the Latin American Economic System (SELA). The establishment of SELA as a genuinely Latin American and Caribbean organization filled the gap in the structure of the international relations of Latin America and the Caribbean, and it became the response to the needs of a whole region anxiously seeking fulfilment in working out its own destiny.

SELA constitutes a sui generis international organization within the regioral community. Its sensitivity and effectiveness are easily measured by the speed and agility with which it can introduce an item, a problem or a point of particular interest into its agenda and programme of activities. In SELA, we believe firmly in the intrinsic justice of the struggles of our region within the framework of the third world, which, although a vast and heterogeneous world with a varied history and geographically scattered, is not alien to the inhabitants of Latin America and the Caribbean. There is nothing alien to us in the confrontations over more remunerative commodity prices, over more open markets for our exports, over an

(Mr. Del Rosario, Dominican Republic)

integrative solution to the problem of external debt for which we are not alone responsible, and over a more truthful presentation of our image and identity in the mass media. Nor is there anything alien to us in the struggles against aberrant racial discrimination or social injustice in any of their forms.

By reason of our confidence in its effectiveness and sense of responsibility and our conviction that it is a necessary organization, the Dominican Republic has not spared any effort to support SELA since its inception. For that reason, the delegation of the Dominican Republic, having read with great interest the report of the Secretary-General contained in document A/45/514, and having taken note of it with great pleasure, reiterates its support for the decisions of the Latin American Economic Council concerning co-operation between the United Nations and SELA and trusts that the co-operation of ECLAC and UNDP and other specialized organizations of the United Nations with SELA will continue within the framework of its requirements and capacities.

In view of the foregoing, our delegation is co-sponsoring the proposal in draft resolution A/45/L.6, presented by the delegation of Peru, concerning co-operation between the United Nations and the Latin American Economic System.

Mr. del VALLE (Chile) (interpretation from Spanish): Just a few weeks ago, the President of Chile was here, reaffirming from this rostrum our country's resolve to contribute its best diplomatic effort to the various initiatives aimed at fostering international convergence. A few days later, this concept was reaffirmed in Caracas during his official visit to Venezuela. The international vision that Chile has cherished throughout its history has its natural outlet in our collaboration with those countries with which we share a continent and similar problems and realities. Hence, our strong and concrete interest in regional multilateral structures and their linkage with the world structure.

There is a special significance in President Aylwin's visit to the headquarters of the Latin American Economic System (SELA) in Caracas. That visit was not a mere formality; it had a much deeper meaning, which was to reaffirm Chile's faith in regional and international organizations. By his presence, the Chilean leader emphasized the same point that had been made a few days earlier at the United Nations: we believe in the multilateral system and in its interrelationships.

Under agenda item 24, we wanted to highlight two things and the linkage between them. When the Latin American Economic System was established, there were many dissenting voices. At first, it did not seem to be a good idea to everybody, and there was a certain distrust. To those who were against it, it seemed to be a new structure which would hinder the processes of integration already under way in the continent and, further, contribute to bureaucratizing the multilateral system in Latin America. They also questioned it, because it seemed to duplicate functions of bodies which, although weak, only needed to be strengthened.

But the chorus of criticism coming from many quarters did not prevent SELA from being established, and its structure and functions have demonstrated its validity and true worth. The criticism did not discourage those individuals,

(Mr. del Valle, Chile)

institutions and countries that believed in SELA as a viable entity for dealing with the many economic and social problems afflicting our region, and as a very valuable mechanism for working together in various areas. Over time, the detractors of SELA had to keep discreetly silent, for that body became one of the most solid pillars of our countries in their efforts to achieve growth and development.

Chile is particularly pleased at the maturity the Latin American Economic System has acquired. And yet, we need closer and more dynamic links with the United Nations. In any event, Chile has welcomed with particular optimism the achievements in that area.

The Secretary-General's report clearly demonstrates the progress that has been made. The increasing co-operation between the United Nations and SELA in various areas is encouraging. This progress has been not only quantitative but also qualitative. In this regard, we would highlight the intensification of links between the Economic Commission for Latin America and the Caribbean (ECLAC) and SELA. There has been particularly welcome co-operation between the headquarters in Santiago and in Caracas. Here, we can highlight the interchange of experience and information leading to co-operation between the two bodies in dealing with such issues as transportation, industry, technology and social policies, as well as in the area of forward planning.

There has also been greater participation by ECLAC in the various expert meetings organized by SELA. The conclusions of these meetings have served as inputs for studies on such various service sectors as telecommunications, construction and engineering, audio-visual services and financial services. Similarly, co-operation between ECLAC and SELA led to a specific proposal, approved at the Third Latin American Consultative Meeting on Services, which was an important contribution to the deliberations of the Group of Negotiations on Services of the Uruguay Round.

(Mr. del Valle, Chile)

Also, we must emphasize that this increase in links between SELA and the United Nations has occurred in almost all of the specialized agencies and programmes in the United Nations system, thus giving full effect to what was decided by the General Assembly in earlier years. The conclusions drawn in the report of the Secreary-General are quite clear on that score.

In future links between this world body and SELA, we hope that particular emphasis will be given to economics and to finding ways of meeting the challenge of the current crisis which is grievously afflicting most of the members of SELA.

We believe that co-ordination can be improved, and so it is important to step up consultations between the Secretary-General of the United Nations and the Permanent Secretary of SELA with a view to reaching a formal agreement on co-operation between the two bodies as soon as possible. Here, we would recall decision 302 of the sixteenth regular session of the Latin American Council, which authorized the Permanent Secretary to sign such an agreement on behalf of SELA.

Chile decided to co-sponsor the draft resolution introduced by Peru on co-operation between the United Nations and SELA, which is now before the Assembly. This is one of many expressions of Chile's desire to resume work in the international arena with a different perspective - one that is more open and more frank, but without losing sight of our point of reference, our origin and deepest roots: Latin America. We are thus resolved to contribute to all initiatives in the search for improved contacts between our multilateral, regional structures and this world body.

We are aware that we have a unique opportunity for creativity in international relations, particularly in view of the dynamism deriving from changes in the international arena which enable us to devote more time and effort to combating the problems afflicting the societies of our region. In this respect, co-operation between the United Nations and SELA could become an element of paramount importance.

Mr. ZAMORA RODRIGUEZ (Cuba) (interpretation from Spanish): First I should like to thank the Secretariat for preparing the very good report that has been submitted to us in compliance with General Assembly resolution 44/4, adopted by the Assembly at its forty-fourth session.

For Cuba, co-operation between the United Nations and the Latin American Economic System (SELA) is a tremendously important item. Since it was established, in 1975, SELA has been a very useful organization for the countries of the Latin American and Caribbean region, and it would appear that it will be even more relevant in the future. Its key features so far as our region is concerned are that its membership is completely Latin American and Caribbean and that its specific objectives are to promote interregional co-operation and to establish a permanent system of consultation and co-ordination to ensure the adoption of common positions and strategies on economic and social questions. Because of this, its very existence and its functions are of value in a world that is increasingly made up of political and economic blocs and of integrated regions.

For years efforts have been made to strengthen collective self-sufficiency and to promote or channel programmes of economic and scientific and technical co-operation. These efforts have encountered obstacles resulting both from our national and regional shortcomings and from the imperfections of the international and economic system within which we are obliged to operate. Nevertheless, our organization's objectives have evolved over time, and important results have been achieved in the area of co-ordination and complementarity between the region's economies. From the point of view of concerted action, SELA has served as a mechanism for the preparation of regional positions on items on the agenda of the United Nations and other agencies of the system.

(Mr. Zamora Rodriguez, Cuba)

We are therefore very pleased at the establishment of closer relations between the United Nations and SELA. We have studied carefully the report submitted by the Secretary-General and we feel that it appropriately reflects the opportunities for co-operation in the various areas where work can be done to forge closer links between the United Nations system and SELA. As we have seen, there is a whole group of areas in which SELA's present infrastructure can be used, from the point of view both of information and of its network of committees specialized in various socio-economic sectors involved in activities carried out by or through the United Nations system.

The United Nations has the capacity to mobilize resources and technical assistance that, at the appropriate time, could make a great contribution to SELA's objectives and to many of its activities now under way. In particular, the Economic Commission for Latin America and the Caribbean (ECLAC) and the United Nations Development Programme (UNDP) offer the greatest possibilities in this regard. We support any measures aimed at strengthening the relation of those bodies of the United Nations with SELA, increasing their support for SELA, and considering SELA as the appropriate focal point for the co-ordination of regional or subregional technical co-operation programmes and as the body for channelling assistance and implementing projects.

For Latin America and the Caribbean, as an underdeveloped region of the world, it will be essential in the future to strengthen this genuinely regional organization. At a time when it seems that East-West tensions have lessened and that the profound North-South imbalances have come to the forefront, the countries of Bolivar's America need to prepare themselves to face together the challenges of a historical era in which strength or survival will to a large extent be determined by the character and solidity of the socio-economic alliances that are formed.

(Mr. Zamora Rodriguez, Cuba)

The regional integration of Latin America and the Caribbean is an urgent historical need. To evade it would be an error difficult to correct. SELA offers the machinery to strengthen this process and counts among its assets the years of experience and successful attempts at concerted action that have formed its apprenticeship.

We look forward to the further development of relations between the United Nations and SELA and to an expansion of the co-operation and solidarity of the world Organization with the only organization that is genuinely and fully representative of Latin America and the Caribbean, a region that José Martí called "Our America".

The PRESIDENT: The Assembly will now take a decision on draft resolution A/45/L.6.

May I take it that the Assembly wishes to adopt it?

Draft resolution A/45/L.6 was adopted (resolution 45/4).

The PRESIDENT: We have thus concluded our consideration of agenda item 24.

AGENDA ITEM 149

OBSERVER STATUS FOR THE INTERNATIONAL COMMITTEE OF THE RED CROSS, IN CONSIDERATION OF THE SPECIAL ROLE AND MANDATES CONFERRED UPON IT BY THE GENEVA CONVENTIONS OF 12 AUGUST 1949: DRAFT RESOLUTION (A/45/L.7)

The President: I call on the representative of Italy, who will introduce the draft resolution in document A/45/L.7.

Mr. TRAXLER (Italy): I have the honour and the pleasure today of addressing the Assembly on behalf of 138 Member States, sponsors of draft resolution A/45/L.7. To the names listed on the draft resolution I am pleased to add the names of countries that have joined us as sponsors - namely, Malawi, Mozambique, Papua New Guinea, the United Republic of Tanzania, India, Guinea and Morocco.

(Mr. Traxler, Italy)

The Assembly may wonder why it is Italy that has undertaken the very pleasant task of introducing the draft resolution. First, I am personally convinced of the justness of this proposal. But there is also a historical precedent. As most of us know, the idea of creating the International Red Cross first came to a Swiss gentleman, Henri Dunant, when he visited the battlefield at Solferino, after the battle had ended. He was appalled by the sight of the carnage, and even more by the spectacle of the wounded who had been left to die, without any kind of assistance. Both a visionary and a practical man, Henri Dunant set to work and five years later - exactly 126 years ago - a diplomatic conference adopted the first of the Geneva Conventions, starting a process of codification of international humanitarian law that has brought the international community of States to almost universal support for the six legal instruments known as the Geneva Conventions and Protocols.

(Mr. Traxler, Italy)

These instruments contain more than 500 articles providing an impressive régime which aims at the protection of all victims of international and non-international conflicts. The universal support they receive is underscored by the 166 ratifications reached so far by the four Conventions. This process, which brought the world to an increased awareness of the fundamental value of humanitarian principles, was started by an independent organization: the International Committee of the Red Cross (ICRC). The ICRC, which was mandated by the international community to become the operational executor of the Geneva Conventions, has been with us since then as a neutral and impartial intermediary dedicated to the pursuit of humanitarian ends.

Indeed, our civilization has produced the worst - the most atrocious weapons of mass destruction. It has, however, also produced an institution which has no precedent in the history of mankind, namely, an international organ supported by the majority of the community of nations dedicated to alleviate the sufferings of war, as well as of catastrophes, and to demonstrate man's humanity to man.

Today a number of delegations for which I speak propose to salute the impressive contribution of the International Committee of the Red Cross to the humanitarian cause, by granting it observer status in the General Assembly. Indeed, the sponsors of the draft resolution share the view that the ICRC should be enabled to follow, as an observer, the work of the General Assembly where many of the issues included in its mandate are discussed. We therefore join together in sponsoring the draft resolution to this effect which is submitted for the Assembly's consideration.

In the view of the sponsors, this proposal should not be considered - indeed could not be considered - in any way as a precedent for any possible request to grant the same status to non-governmental organizations. The special - I would

(Mr. Traxler, Italy)

even say unique - role conferred upon the ICRC by the international community and the mandates given to it by the Geneva Convention make of it an institution unique of its kind and exclusively alone in its status.

We therefore invite the General Assembly to adopt unanimously the draft resolution we have submitted, also as a sign of concerned commitment for the cause of peace and human solidarity.

I feel that our Organization, devoted to the preservation of peace and to the prevention of war, should welcome in this Hall another organization designed to alleviate the horrors of war, to mend its sufferings and to introduce an element of humanity in the inhumanity of war.

Mr. Barjinder SINGH (India): The draft resolution before us is to confer observer status on the International Committee of the Red Cross (ICRC). We are considering granting observer status in light of the special role and mandates conferred upon the ICRC by the Geneva Conventions of 12 August 1949. It is against this background that India is happy to be one of the sponsors of this draft resolution.

At the same time, without prejudice to the draft, my delegation would like to suggest that the draft resolution not be considered a precedent for other non-governmental organizations to seek or be granted observer status; in other words, the case of the ICRC should be considered unique in view of its status.

The role of the ICRC in humanitarian efforts is known throughout the world. India has been co-operating with it in the service of humanity. In many areas, it has had a pioneering presence and we are happy to have been associated with it.

The ICRC has by tradition and practice tried to fulfil the need for humanitarian assistance. My delegation would like to express the hope that its contributions in this respect will obtain the international support they deserve and fulfil objectives that benefit mankind.

Mr. ZAFAR-UL-HAQ (Pakistan): The delegation of Pakistan is pleased to be one of the sponsors of draft resolution A/45/L.7, entitled "Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it by the Geneva Conventions of 12 August 1949".

The Government of Pakistan supports and commends the extremely important role played by the ICRC in the development and implementation of the international humanitarian law, since its inception in 1863. The ICRC has admirably upheld, and widely disseminated, the movement's fundamental principles, namely, humanity, impartiality, neutrality, independence, voluntary service, unity and universality.

We note with great satisfaction that last year, with an average of 590 delegates working in 48 delegations, ICRC was active in nearly 90 countries - in Africa, Asia, Europe, Latin America and the Middle East - providing protection and assistance to the victims of armed conflicts and, with the agreement of the Governments concerned, to victims of internal disturbances and tension.

The ICRC mission in Pakistan has played a very important role and made positive contributions, since 1980, in providing medical care and relief to the refugees from Afghanistan. Since then, the ICRC has launched one of its largest operations in Pakistan. About 80 expatriate personnel are engaged in running a surgical hospital, an orthopedic centre and a rehabilitation centre for paraplegics in Peshawar and a number of first-aid posts in the North West Frontier Provinces and Baluchistan.

(Mr. Zafar-Ul-Haq, Pakistan)

Indeed, the tasks of the ICRC and the United Nations increasingly complement one another, and there has been close co-operation between the two institutions, both in their field activities and in their efforts to enhance respect for international humanitarian law. In recent years, this has been witnessed in many operations to provide protection and assistance to the victims of conflict in various parts of the world.

We note with satisfaction that the ICRC and the United Nations have also co-operated closely on legal matters in humanitarian fields. This has also been reflected in resolutions of the Security Council, the General Assembly and its subsidiary bodies, and in reports by the Secretary-General.

The delegation of Pakistan strongly supports the participation of the ICRC as an observer at the proceedings of the General Assembly. We believe that this would further enhance co-operation between the United Nations and the ICRC and would facilitate the work of the ICRC and further enhance its effectiveness.

The PRESIDENT: We have heard the last speaker in the debate on this item. The Assembly will now take a decision on draft resolution A/45/L.7. May I take it that the Assembly wishes to adopt draft resolution A/45/L.7?

Draft resolution A/45/L.7 was adopted (resolution 45/6).

The PRESIDENT: Before calling on representatives in explanation of their position, may I remind delegations that, in accordance with General Assembly decision 34/401, such explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. MOORE (United States of America): The United States delegation is pleased to have joined the consensus on the resolution inviting the International Committee of the Red Cross (ICRC) to assume observer status at this and subsequent United Nations General Assemblies.

(Mr. Moore, United States)

The ICRC is perhaps the best known and most respected of all humanitarian relief agencies. It is also a unique organization with a unique international legal standing stemming from its mandate under the 1949 Geneva Conventions. As depositary for those Conventions, the ICRC assumes a role generally reserved to States. The Geneva Conventions also assign the Committee the responsibility for providing protection and assistance to victims of armed conflicts.

As we speak, the ICRC continues to discharge that role, often at the request of this Organization, in all corners of the world. In recent resolutions, the Security Council has identified the Committee as the preferred intermediary to provide, when necessary, assistance to the victims of the current, tragic conflict in the Persian Gulf. It is therefore appropriate, in our view, that the ICRC should enjoy observer status at the General Assembly of the Organization.

The unique mandate of the ICRC, as reflected in the Geneva Conventions, sets the Committee apart from other international humanitarian relief organizations or agencies. It is, in part, the public recognition of this distinction that has led the Committee to seek, and the Members of the United Nations to grant, this observer status. Our consensus decision should in no way set a precedent for any other humanitarian organization, no matter how worthy, to be accorded the status we have just given the ICRC. No other such humanitarian organization possesses the ICRC's unique legal personality, as recognized by its specific responsibilities under international conventions.

The ICRC has, since its founding, been an important member of our international community, which is grateful for what the Committee has accomplished in its over 127 years of service to mankind. My delegation is confident that the Committee's new and exceptional observer status in the General Assembly will allow it to continue to serve our most important mutual objectives in the years ahead.

The PRESIDENT: That concludes our consideration of agenda item 149.

The meeting rose at 1.05 p.m.